

Remarks/Arguments

Reconsideration of the above-identified application in view of the present amendment and remarks is respectfully requested.

The Office Action rejected claims 1-3, 8, 9, 12-14, and 17 under 35 U.S.C. §102(b) as being anticipated by Brown U.S. 2001/0008083. This rejection is respectfully traversed.

The Office Action states that, with regard to claims 1 and 13, "Brown teaches ... tire-based a transceiver device located on the vehicle for receiving the tire parameter 110 114 signal and for transmitting a relay signal tire parameter signal; ..." It is unclear what the Examiner means by "a tire-based a transceiver device." It is clear that no such element is recited in either claims 1 or 13. The rejection further states that Brown teaches "a vehicle-based unit 108 indicative of the received unit." Again, it is not clear what the Examiner is saying but neither claim 1 nor claim 13 recites "a vehicle-based unit indicative of a received unit." The rejection further states that Brown teaches "the vehicle-based unit adapted to receive both the parameter signal and the tire an indicator relay signal." It again is not understood what the Examiner is saying. Claim 1 recites "a vehicle-based unit mounted on the vehicle in a location spaced away from the transceiver device, the vehicle-based unit adapted to receive both the tire parameter signal and the relay signal." Claim 1 does not recite that the vehicle based unit "receive the parameter signal and the tire an indicator relay signal."

What is clear is that Brown is being misinterpreted by the Examiner. Brown has several embodiments disclosed. In the Fig. 1 description, which is what the

undersigned believes the Examiner is referring to based on the numbers he is using, the tag 106 in the tire transmits only to the antenna 110 associated with that wheel. A wire connection is made to the receiver 114. The receiver 114 does not receive both a tire parameter signal transmitted from the tire-based unit and a relay signal from a transceiver device. It only receives one signal, i.e., from the antenna of each wheel. The same is true with the Fig. 1A embodiment shown in Brown. In the Fig. 1A description, two embodiments are described in which the receiver 166 is connected directly to antennas 160 or receives signals via RF from associated sub-receivers 161. The sub-receivers 161 are connected to their associated antenna and they process the signal and send an RF signal to receiver 166. Of course, sub-receivers 161 are vehicle mounted assemblies. There is no teaching in Brown in which the receiver 166 can receive BOTH an RF signal from a sub-receiver 161 and a signal from the tire condition monitor 157. Therefore, it is clear that Brown does not anticipate claims 1 and 13 under 35 U.S.C. §102 and the rejection should be withdrawn.

Claims 2 and 8 depend from claim 1 and are allowable for at least the same reasons claim 1 is allowable. Claims 14 and 17 depend from claim 13 and are allowable for at least the same reason claim 13 is allowable. Therefore, Brown does not anticipate claims 2, 8, 14, or 17 under 35 U.S.C. §102 and the rejection should be withdrawn.

With regard to claim 3, claim 3 depends from claim 1 and is allowable for at least the same reasons claim 1 is allowable. Furthermore, the Examiner alleges Brown teaches the claim limitations of claim 3 but fails to point out where that

teaching is located. It is respectfully suggested that no such teaching exists in Brown. Therefore, Brown does not anticipate claim 3 under 35 U.S.C. §102 and the rejection should be withdrawn.

With regard to claims 9 and 12, claims 9 and 12 depend from claim 1 and are allowable for at least the same reasons claim 1 is allowable. Therefore, Brown does not anticipate claims 9 and 12 under 35 U.S.C. §102 and the rejection should be withdrawn.

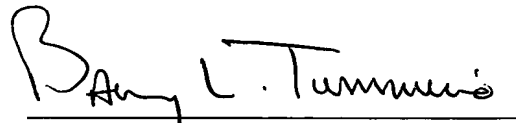
Claim 11 was rejected under 35 U.S.C. §103 as being obvious over Brown U.S. 2001/0008083 in view of Ripley et al. U.S. 4,723,445. It is respectfully suggested that this rejection is improper and should be withdrawn. Claim 11 depends from claim 1. Ripley does not make up for the lack of teachings with regard to claim 1 discussed above with regard to Brown. Therefore, the addition of Ripley can not make claim 11 obvious since there still is no teaching of "a vehicle-based unit mounted on the vehicle in a location spaced away from the transceiver device, the vehicle-based unit adapted to receive both the tire parameter signal and the relay signal;" as is recited in claim 11. Therefore, the rejection under 35 U.S.C. §103 is improper and should be withdrawn.

It is noted with appreciation that the subject matter of claims 4-7, 10, 15 and 16 have been indicated as allowable. In response to this indication, claims 5 and 15 have been rewritten in independent form.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


Barry L. Tummino
Reg. No. 29,709

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294